IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1003 OF 2004

IN

EXECUTION APPLICATION NO.148 OF 2002

IN

ARBITRATION REFERENCE NO.385 OF 2001

Emmel Financial Services ...Applicants

Versus

Nikko Stock Brokers P.Ltd. ...Respondents

.....

Mr.A.M.Rajabally for Applicants.

Mr.G.B.Kedia for Respondents.

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CORAM: A.M.KHANWILKAR, J.

JULY 13, 2005.

P.C.

1. Heard Counsel for the parties. Perused the affidavit in support of the Chamber Summons. Respondents, though appeared through Counsel, have not chosen to file any reply. In that sense, averments in the affidavit in support of the Chamber Summons have remained uncontroverted.

2. It is seen that warrant of attachment is already issued by this Court on 6th April 2002. Inspite of warrant of attachment, no objection has been raised. The decree is still unsatisfied.

3. Accordingly, this Chamber Summons ought to succeed in terms of prayer clauses (a) and (b) with costs. Ordered accordingly.

A.M.KHANWILKAR, J.